

STEPHEN W. BYERLY
PLAINTIFF,

vs.

CASE No. 19-cv-00912
FILED

JAMES L. DEWEES, ET AL.,
DEFENDANTS,

AUG 27 2019

JUDGE: Solomon O'Bryan, Jr.
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO

MOTION TO CORRECT A CLERICAL ERROR
PURSUANT to Fed. R. C. v. P. Rule 60(a)

Now comes Stephen W. Byerly, Plaintiff, and moves this Court to correct the clerical error made by the Clerk, stating the cause of action as a 42 U.S.C. 1983 Civil Rights, Prisoner Petition, 550. (Amended) Plaintiff filed a 42 U.S.C. 1985 (2)(3) action. (See: documents #1 filed 4/23/2019, Attachments #1, #2)

This error effects my substantive rights as a plaintiff. As I am not a prisoner, pursuant to 28 U.S.C. 1915(h). And the assignment of Magistrate Judge Ruiz, pursuant to 28 U.S.C. 636(b) is in violation of Plaintiff's Fourth Amendment Rights. As this Court has no record of the document required by 28 U.S.C. 1738.

This Court has one document, by state of Ohio law, invoking its subject matter jurisdiction (attachment #2, doc. #1)

Justice demands this clerical error be corrected to protect plaintiff's substantive life. And the jurisdiction of the U.S. District Court.

RESPECTFULLY submitted,

Stephen W. Byerly

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